

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, June 17, 2014 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Karl B. Ward conducting.

Council members present at the beginning of the meeting: Chairman Karl B. Ward, Vice-Chairman Jeannie F. Simmonds, Councilmember Holly H. Daines, Councilmember S. Eugene Needham and Councilmember Herm Olsen. Administration present: Mayor H. Craig Petersen, Finance Director Richard Anderson, Public Works Director Mark Nielsen, City Attorney Kymber Housley and City Recorder Teresa Harris.

OPENING CEREMONY.

Logan Library Director Robert Shupe gave the opening thought, prayer and led the audience in the pledge of allegiance.

Chairman Ward welcomed those present. There were approximately 22 citizens in the audience at the beginning of the meeting.

Meeting Minutes. Minutes of the Council meeting from June 3, 2014 were reviewed and approved with minor changes.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Daines to **approve the June 3, 2014 minutes as amended and approve tonight's agenda.** Motion carried unanimously.

Meeting Agenda. Chairman Ward announced there will be fourteen public hearings at tonight's Council meeting.

Meeting Schedule. Chairman Ward announced that regular Council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, July 15, 2014.

Chairman Ward announced that the July 1, 2014 Council meeting has been cancelled.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL.

There were no questions or comments from the audience for the Mayor or Council.

MAYOR/STAFF REPORTS.

Updates on Projects/Issues – Mayor Craig Petersen.

Mayor Petersen gave an update on the following projects/issues.

UPDATES ON PROJECTS/ISSUES

Current Road Closures

- a. 200 East and 500 North still closed for the construction of a roundabout - Now through August.
- b. 200 East from Center Street to 100 South – Closed until September.

Graffiti Prevention and Removal Plan

Graffiti is an ongoing problem at the City's power sub-stations, on the Highline Trail up Logan Canyon, and at other locations. The City has spent a substantial amount of labor time and materials to remove graffiti from these locations. To reduce future graffiti, surveillance cameras and lights have been placed at various locations. Individuals caught placing graffiti are subject to substantial trespass and/or criminal mischief fines.

Highline Canal Trail Assessment

JUB Engineering is conducting a safety assessment of the Highline Trail to determine what must be before it can be opened to the public. The study is being funded by Cache County and should be completed in 30 days.

Business Practices Committee Recommendations

Recommendations have been received from the committee and include:

- a. Streamline the Design Review process
- b. Streamline the Project Review process
- c. Improve the availability of information
- d. Designate a single point of contact

Each of these recommendations will be carefully considered over the next few months and proposed changes reported back to the City Council.

Tour of Utah Recommendation

A final decision about bringing this professional bicycle race to Logan will be made this week.

Cache Valley Unplugged—<http://weplayunplugged.com/cachevalley>

This program is intended to get youth away from their electronic devices and out into the community. Check the website for a full explanation.

Waste Water Treatment Rate Setting Proposal

A proposal was presented to the mayors of Smithfield, Hyde Park, North Logan, River Heights, Providence, and Nibley that would establish a committee with authority to set rates for wastewater treatment. Each city (including Logan) would have one representative on the committee, but voting would be proportionate, based on the relative usage of the waste water treatment facility. Discussion with the cities is ongoing.

Council Chambers Sound System

Citizens have complained that they are unable to hear when attending meetings in the Council Chambers. The City will explore options to improve the sound system.

Councilmember Olsen asked about the timeline of the 200 East Center Street project.

Mayor Petersen said this road will be open the end of August.

Councilmember Olsen said he had a citizen contact him regarding the graffiti and said why bother with cleaning it up and why not just let it go and not spend the time and effort.

Mayor Petersen responded that some of the graffiti is artistic but most is very vulgar. Also, there are areas where the graffiti is on the rock itself rather than on the concrete area. People are also scale the wall to do graffiti and it's very steep and dangerous.

Proclamation: *Road Respect* – Mayor Petersen

Mayor Petersen read a Proclamation in support of the *Road Respect Campaign* and its message of promoting safety for bicycles and cars through adherence to the rules of the road. The *Road Respect Program*, the *Zero Fatalities Program* and cyclists throughout the State of Utah are promoting greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries and fatalities for all.

Neighborhood Council Recommendations – Mayor Petersen

Mayor Petersen said at the Council meeting on June 3, 2014, Adams Neighborhood Council Chair Benjamin George addressed the Council and presented a list of recommendations from the Neighborhood Council. His intent is to review those recommendations with the Council (where we are and what we need to do) at this time.

Mayor Petersen invited Mr. George and Community Development Director Mike DeSimone to join him as he presented the following summary to the Council.

A. Property Maintenance Standards

1. Centralize online links to International Property Maintenance Code and associated ordinances.
2. Publish online a summary of Logan's property maintenance priorities and penalties.
3. Distribute property maintenance information to residents as they sign up for utilities.
4. Develop a Logan-specific property maintenance code.
5. Maintain city properties to the same standard expected of Logan residents.

B. Assistance with Property Maintenance

1. Continue to fund and promote:
 - a. Neighborhood/Block Improvement Program
 - b. Housing Rehabilitation Assistance Program
 - c. Community Tool Shed
2. Continue to collaborate with volunteer-focused agencies, (e.g., Cache Volunteer Center).

- 142 3. Provide funding for:
143 a. Water-wise landscaping grant program
144 b. Spring cleanup program
145 c. Dumpster placement in high turnover areas
146 d. Partner in providing free property maintenance workshops
147

148 **C. Enforcement**

149 Priorities are abandoned properties, rubbish collection, outdoor storage, basic
150 landscaping, parking on public park strips, parking on grass, and inoperable vehicles in
151 public view.

- 152 1. Correlate enforcement standards with public health and safety concerns.
153 2. Impose penalties sufficient to deter repeat offenses.
154

155 **D. Follow-Up**

- 156 1. Develop and follow a protocol for following up on complaints, including feedback to
157 citizens.
158 2. Increase staffing levels as needed.
159

160 Mr. DeSimone addressed the Council regarding the Logan-Specific Property
161 Maintenance Code item. There is currently an International Code that already has very
162 good standards in place. He said his department can do a better job to make sure these
163 standards are known to the public. The Community Development offers several
164 assistance programs which include the Community Tool Shed and Rehabilitation
165 Assistance Grants.
166

167 Mr. George addressed the Mayor and Council and said in regards to the International
168 Property Maintenance Code, several members of the Neighborhood Council went on a
169 bus tour with Neighborhood Improvement Manager James Geier and he showed several
170 properties that met the minimum property maintenance codes. He said this tour was very
171 enlightening in showing that the International Property Maintenance Code has very little
172 enforcement regarding exterior maintenance issues. He feels the real intention from the
173 Neighborhood Council is to introduce more strict or more specific codes. He
174 complimented the effort to provide resources to the residents and for the City resources
175 being used for this effort.
176

177 Chairman Ward said he would like to go on a tour with James Geier and be shown what
178 properties comply with the International Property Standards and see if there is a need for
179 the City to tighten our standards.
180

181 Councilmember Daines suggested that Mr. DeSimone could provide a draft to the
182 Council and offer ideas and suggestions for a Logan-Specific Property Maintenance
183 Code.
184

185 Vice Chairman Simmonds said enforcement is a critical component to this process
186 including creating stricter penalties that are more substantial, consistent or more
187 immediate. She feels enforcement needs to be included in achieving the overall objective.

Councilmember Daines said at the last series of Neighborhood Council meetings, police officers were assigned to each of the neighborhood areas. She suggested meeting with these police representatives and work out the details of how problems are reported and what complaints should go to the police versus what should go to Community Development.

Mayor Petersen said a representative from the police department will be present at all future neighborhood meetings to answer any questions.

Councilmember Olsen said enforcement is a huge part of helping us be a better community.

Mayor Petersen announced the next series of Neighborhood Council meetings will be held in the Fall. The Neighborhood Council Chairs meet every third Thursday at 5:30pm in the City Hall Conference Room.

Mr. George recommended that the Council meet with the Neighborhood Council Chair representatives first and they can take it to the individual neighborhoods in the Fall when they have their meetings.

COUNCIL BUSINESS.

Chairman Ward announced there is no Council business at tonight's meeting.

ACTION ITEMS.

PUBLIC HEARING - Consideration of a proposed Code Amendment. Ryan Reeves/Craig Champlin, authorized agent/owner, requests an amendment to the Land Development Code Section 17.13.040 to allow for an assisted living center as a conditional use in the Neighborhood Residential (NR-6) Zone – Ordinance 14-44

At the June 3, 2014 Council meeting, Community Development Planner Amber Reeder addressed the Council regarding the proposed ordinance. This request first came to the Planning Commission on February 27, 2014, and was continued to the May meetings. The request was continued as staff had work shopped the idea of a code change with the Neighborhood Council in January and it was recommended to have discussions in the Neighborhood meetings. Meetings were held in the six residential neighborhoods throughout April. Staff held general discussions and a summary was completed for each of the meetings. In general, residents were not in favor of allowing an assisted living center solely with a Conditional Use Permit. Assisted living facilities vary widely in size and style and the Commission indicated that the amendment as proposed would not provide enough direction or control for the Commission to adequately address compatibility. The Planning Commission did direct staff to do some additional research and bring the latter of supplemental regulations for small-scale assisted living facilities back to them for a workshop discussion at a future meeting.

On May 22, 2014, the Planning Commission recommended that the Municipal Council deny the request to amend the Land Development Code to allow an Assisted Living Center as a Conditional use in the NR-6, Traditional Neighborhood Residential Zone.

Ms. Reeder added that the following findings, should the Council vote to deny the code amendment request:

Recommended Findings for Denial – The Municipal Council bases its decision on the following findings:

1. The Code Amendment has been processed in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
2. The Planning Commission recommended denial of the proposed ordinance at their May 22, 2014, meeting. Utah State Law authorizes local Planning Commissions to make recommendations on Code changes to the legislative body (Municipal Council).
3. The proposed Code Amendment would not be suitable for all development of an assisted living center in a Traditional Neighborhood Residential (NR-6) zone without increasing the need for variances of special exceptions.
4. The Code Amendment was not consistent with the feedback received from the public hearings of the Planning Commission and Municipal Council and public hearings held with the Neighborhood Council and in Logan City's Neighborhoods.

If the request is denied, an ordinance is not required. Should the Council vote to approve the code amendment, Ordinance 14-44 would be adopted based on the following findings from the staff report for PC14-040.

Recommended Findings for Approval – The Municipal Council bases its decision on the following findings:

1. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
2. The proposed Code Amendment supports the General Plan directive to provide a variety of options that will allow families to remain in their neighborhood as they pass through different life stages.

Councilmember Daines said if we were to adopt the code amendment as written it would give someone “card blanche” to build any size assisted living center they wanted in any neighborhood. It was her understanding that the Planning Commission was considering an eight bed facility which would make sense but not the broad base recommendation that is before the Council at this time.

Chairman Ward opened the meeting to a public hearing.

Logan resident Sandra Romesburg addressed the Council. She lives in the Adams Neighborhood and is opposed to any change that would allow an assisted living center in a residential neighborhood. She does not feel we can discriminate on age or what assistance a person might need. She feels if the facility were built, it could be used for

any type of multi housing in a residential neighborhood and not just for assisted living. She also feels that it's time to preserve neighborhoods and keep single family homes. Her contention is that if the Council really feels that we need assisted living centers then they should only be allowed six blocks beyond any grandfathered multi housing that exists today within a Logan City neighborhood. She has lived in Logan for 42 years and now lives just over a block from five rental homes that were recently condemned by Logan City.

City Attorney Kymber Housley clarified that federal law does allow for age discrimination in the narrow category of elderly housing/assisted living for ages 55 and older. A condition can be placed on assisted living centers that it be for those ages 55 and older.

Chairman Ward said it becomes a problem if an assisted living center fails what would it would become in the future.

There were no further public comments and Chairman Ward closed the public hearing.

Councilmember Olsen asked where do we put our older generation. He feels that generally we need to keep in mind that people need to go somewhere and he's an advocate for strengthening the residential component but planning also needs to include where do we put our aged population and we need to keep this in mind with future planning.

Councilmember Daines said the Planning Commission intends to look at the possibility of smaller assisted living centers and if they will work in some neighborhoods.

ACTION. Motion by Councilmember Daines seconded by Councilmember Needham to **deny Ord 14-44** as presented. Motion carried unanimously.

PUBLIC HEARING - Consideration of a proposed resolution authorizing an interfund loan to the Water and Sewer Fund. This loan will be for the amount of \$5,000,000 (\$2,500,000 will be loaned from the General Fund and \$2,500,000 will be loaned from the Electric Fund) for a term of 10 years at an annual interest rate of 2.54 percent. Interest will be calculated annually based on the average outstanding balance for that year. The first principal and interest payment will be due June 30, 2015 and will be paid each year thereafter. The loan may be repaid in full or part at any time without penalty – Resolution 14-38

At the June 3, 2014 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed resolution. He said this is the same resolution that was presented to the Council a year ago and is for the same amount. That resolution gave us more flexibility on how we administered the loan and we did not enact it because the water fund did not need it at the time. Recently, the State Legislature changed the rules on interfund loans and just to make sure we are compliant, this resolution is coming before the Council at this time. The proposed changes to the resolution are to identify the specific funds that are loaning the water and sewer fund money. These are for projects

that are already underway. The other change is the special interest rate that is tied to the 10-year Treasury yield. The last change is to identify how we will calculate the interest and when it will start. He proposed changing the resolution wording that, 'the interest will be calculated annually based on the average outstanding balance for that year.'

Chairman Ward opened the meeting to a public hearing.

There were no public comments and Chairman Ward closed the public hearing.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Daines to **approve Res 14-38** as presented. Motion carried unanimously.

PUBLIC HEARING – Budget Adjustment FY 2013-2014 appropriating: \$24,000 from Community Development Department Equipment Reserves for the purchase of a vehicle – Resolution 14-50

Finance Director Richard Anderson said the proposed budget adjustment is coming from reserve funds within the Community Development Department that are set aside each year for equipment/rolling stock.

Community Development Director Mike DeSimone said he is requesting to replace the vehicle that the Code Enforcement Officer is currently driving. They would like to purchase a Honda Civic Hybrid.

Chairman Ward opened the meeting to a public hearing.

There were no public comments and Chairman Ward closed the public hearing.

ACTION. Motion by Vice Chairman Simmonds seconded by Councilmember Daines to **approve Res 14-50** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution increasing certain Community Development Department Fees including adding a Public Notice Fee – Resolution 14-32

At the May 13, 2014 Budget Workshop, Community Development Director Mike DeSimone presented the proposed resolution to the Council. The following are the proposed increases:

1. The Design Review Permit Fee is proposed to be broken into two categories based on review process.
2. Final plat review fees to be added to cover staff time and costs associated with review/processing.
3. Added code amendment and comprehensive plan amendment fees as they don't currently exist.
4. Added permit extension request fee. The amount charged for a permit extension is the same as the original permit application fees.

- 374 5. Added public notice fee to cover costs associated with legal and public
375 notifications (associated with proposed Community Development budget increase
376 relative to Advertising).

377
378 Chairman Ward opened the meeting to a public hearing.

379
380 There were no public comments and Chairman Ward closed the public hearing.

381
382 **ACTION.** Motion by Councilmember Daines seconded by Vice Chairman Simmonds to
383 **approve Res 14-32** as presented. Motion carried unanimously.

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385 **PUBLIC HEARING – Consideration of a proposed amendment to the Right of Way**
386 **Construction Ordinance including amending 12.06.010 Definitions; amending**
387 **Section 12.06.120 regarding Restoration of Public Property; amending Section**
388 **12.06.130 Insurance Requirements; and amending Section 12.06.140 Bond; when**
389 **required, conditions and warrant – Ordinance 14-33**

390
391 At the May 13, 2014 Budget Workshop, Public Works Director Mark Nielsen presented
392 the proposed ordinance to the Council.

393
394 Chairman Ward opened the meeting to a public hearing.

395
396 There were no public comments and Chairman Ward closed the public hearing.

397
398 **ACTION.** Motion by Councilmember Daines seconded by Vice Chairman Simmonds to
399 **adopt Ord 14-33** as presented. Motion carried unanimously.

400
401 **PUBLIC HEARING – Consideration of a proposed resolution approving Elected**
402 **Official's Wages FY 2014-2015 – Resolution 14-36**

403
404 At the June 3, 2014 Council meeting, Human Resource Director Greg Cox explained as
405 part of the budget process, the proposed resolution is brought forward to the Council each
406 year. There are no proposed changes to the Mayor or Council salaries for the upcoming
407 fiscal year. The last time the Mayor's salary was increased was approximately four years
408 ago. He feels that at some point and time we should consider increasing the Mayor's
409 salary.

410
411 Chairman Ward opened the meeting to a public hearing.

412
413 There were no public comments and Chairman Ward closed the public hearing.

414
415 **ACTION.** Motion by Councilmember Olsen seconded by Councilmember Needham to
416 **approve Res 14-36** as presented. Motion carried unanimously.

417
418 **PUBLIC HEARING - Consideration of a proposed resolution approving Member**
419 **Contributions to the Utah Retirement Systems Contributory Retirement Plan FY**
420 **2014-2015 – Resolution 14-37**

At the June 3, 2014 Council meeting, Human Resource Greg Cox explained the City formally agrees to fund “pick-up” 100% of the required member contribution for all eligible employees to contribute to the Utah Retirement Systems Contributory Retirement Plan for the 2014-2015 Fiscal year effective July 1, 2014 according to the applicable Utah Retirement Systems Retirement Contribution Rates.

Chairman Ward opened the meeting to a public hearing.

There were no public comments and Chairman Ward closed the public hearing.

ACTION. Motion by Vice Chairman Simmonds seconded by Councilmember Daines to **approve Res 14-37** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution adopting revised Water Service Connection Fees – Resolution 14-40

At the May 13, 2014 Budget Workshop, Public Works Director Mark Nielsen presented the proposed resolution to the Council. He stated the Water Enterprise Fund has analyzed each of the water service connection fees to document current costs for each size of service. The following are the proposed fees:

CITY OF LOGAN
WATER SERVICE CONNECTION FEES

<u>METERED SERVICES</u>	<u>COST</u>
Developed Water Service	
¾" connection	\$425.00
1" connection	\$450.00
1½" connection	\$925.00
2" connection	\$1,200.00
Undeveloped Water Service	
¾" connection	\$6,195.00
1" connection	\$4,800.00
1½" connection with bypass	\$5,100.00
2" connection with bypass	\$5,100.00
4" connection with by-pass	\$12,550.00
6" connection (non-fire flow) with 4" by-pass	\$15,150.00
8" service and larger	Priced per installation

MAINLINE HOT TAPS

<u>TAP SIZE</u>	<u>COST</u>
1"	\$125.00
1½"	\$125.00
2"	\$125.00
4"	\$350.00
6"	\$350.00

8"	\$350.00
10"	\$450.00
12"	\$450.00

FIRE HYDRANT INSTALLATION

6" Fire hydrant installation ~~\$6,400.00~~ \$8,231.00

FIRE HYDRANT DISCHARGE PERMIT

Contractors and other companies using fire hydrants as a water source shall be required to pay a refundable meter deposit and place the meter on the hydrant being used. Hydrant meter(s) shall be read monthly and contractor or other entity shall pay the applicable commercial water rate for the water used.

Refundable Meter Deposit:	1" meter	\$500.00
	3" meter	\$1400.00

METER SERVICE

Additional/Final Meter Read	\$6.00
Meter Dispute	\$38.00
Delinquent Notices	\$11.00
Disconnect/Reconnect	\$22.00
Disconnect/Reconnect After Hours	\$71.00
Damage/Adjustment to meter, barrel, lid, or frame	Actual Cost
Meter tampering fee	\$50.00
Verify sewer connection with dye	\$50.00
Private Fire Hydrant Maintenance Fee per year	\$200.00
Cross Connection Air Gap Inspection Fee	\$50.00
Water/Sewer Model Analysis Fee	\$100.00

** Any special requests or items not listed above must be approved and priced by the Water Department.

Chairman Ward opened the meeting to a public hearing.

There were no public comments and Chairman Ward closed the public hearing.

ACTION. Motion by Vice Chairman Simmonds seconded by Councilmember Daines to **approve Res 14-40** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution revising work in the Right-of-Way Permit Fees – Resolution 14-41

At the May 13, 2014 Budget Workshop, Public Works Director Mark Nielsen presented the proposed resolution regarding Right-of-Way Permit Fees. He stated the Logan Municipal Code authorizes permit fees for right-of-way construction permits based on

costs associated with reviewing the project, issuing the permit, inspections of the project, deterioration of the public way or diminution of the useful life of the public way. Problems with restoration of projects in the public way have created undue hardships on adjacent property owners and the traveling public. Fee changes have been proposed to incentivize contractors and persons working in the right of way to complete the restoration work in order to receive a refund of their deposit. The following was proposed:

CITY OF LOGAN
RIGHT-OF-WAY PERMIT FEES

Basic Permit consists of no disturbance of asphalt and applies to work where impacts are only in the park strip or gravel shoulder. The Basic Fee also applies to utility companies that bore underneath the roadway with no impact to the asphalt.

Road Cut Permit consists of penetrating asphalt pavement:

Fees

Description	Fee Amount
Basic Permit Fee	\$150.00
Basic Permit Fee Deposit	\$500.00
Road Cut Permit Fee	\$1,000.00
Road Cut Permit Deposit	\$500.00

Basic Permit Deposit and Road Cut Permit Deposits will be refunded to the permittee following a satisfactory final inspection of the completed work.

For projects with multiple road cuts, the deposit will only be charged one time, but each road cut will be charged the \$1,000.00 fee.

Chairman Ward opened the meeting to a public hearing.

There were no public comments and Chairman Ward closed the public hearing.

ACTION. Motion by Vice Chairman Simmonds seconded by Councilmember Daines to **approve Res 14-41** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution establishing Land Disturbance Permit Fees – Resolution 14-42

At the May 13, 2014 Budget Workshop, Public Works Director Mark Nielsen presented the proposed resolution regarding Land Disturbance Permit Fees. He stated the Logan Municipal Code authorizes permit fees for Land Disturbance Permits which provide requirements for protection of the environment, City drainage systems, and adjacent property owners during construction activities. The following was proposed:

CITY OF LOGAN
LAND DISTURBANCE PERMIT FEES

Site Development. Site development refers to construction activities on a site or for a subdivision excluding the construction of buildings. Site development activities consist of but are not limited to utility construction, road construction, parking lots, and open space. Site development will typically apply to residential subdivisions, multi-family development, commercial development, and industrial development. Site development would not apply to the construction of a single residential home that is not included within a subdivision.

Residential Home. Residential home development refers to the construction of a home on a single parcel or the construction of a home within a subdivision following completion of site development:

Multi-family. Multi-family development refers to the construction of multi-family facilities containing three (3) or more units.

Non-residential. Non-residential development consists of commercial, industrial, public, and other construction within non-residential zones.

Storage/Stockpile/Grading/Excavation/Fill. Applies to all disturbed areas that does not have an approved Design Review, subdivision, or building permit.

Fees

Description	Fee Amount	Minimum Fee
Site Development Fee	\$500.00	N/A
Residential Home Fee	\$200.00	N/A
Multi-family Fee	\$1,500.00 per acre	\$300.00
Non-residential Fee	\$1,500.00 per acre	\$300.00
Storage/Stockpile/Grading/Excavation/Fill	\$3,000.00 per acre	\$500.00

Note: If multiple phases of a development are planned, each phase will be assessed the appropriate fee based on the acreage of that phase. The Site Development fee will also be assessed on each phase.

Chairman Ward opened the meeting to a public hearing.
There were no public comments and Chairman Ward closed the public hearing.

ACTION. Motion by Councilmember Needham seconded by Councilmember Olsen to **approve Res 14-42** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution revising Aerial Photo Purchase Rates – Resolution 14-43

At the May 13, 2014 Budget Workshop, Public Works Director Mark Nielsen presented the proposed resolution. He stated the City of Logan acquires Color Aerial photography of the City. The Most recent aerial photography included LIDAR data and there is no purchase rate for private use of this data. Effective July 1, 2014, he proposed the following data fees:

**CITY OF LOGAN
GIS DIGITAL DATA FEES**

PAPER MAPS

Paper Size (inches)	Cost	Additional Cost With 1998 Aerials
8½ x 11	First 3 free, \$1.00 each thereafter	First 3 free, \$1.00 each thereafter
11 x 17	\$2.00 each	Free
18 x 24	\$5.00 each	+ \$5.00
24 x 36	\$10.00 each	+ \$10.00
36 x 48	\$10.00 each	+ \$10.00

REPRINTS (Historic Aerial Photos)	Cost
All Reprints/Photocopies	\$3.00

DIGITAL DATA	Cost
1998 Black & White Aerials	\$25/Aerial Image
GIS Data – Full City	\$25/Layer
GIS Data Portion of City (Any Data)	\$3/City Block of Data/Layer
Color Aerials	\$35/Aerial Image
Color Aerials Entire Package Rate	\$4,000 \$5,000.00
1' Contours Data	\$50 /Tile
1' Contours Entire Package Rate	\$10,000 .00
LIDAR Data	\$100/Tile

ZONING MAPS	
Paper Size (inches)	Cost
11 x 17	\$5.00
24 x 24	\$10.00
36 x 48	\$20.00

STREET MAPS	
Paper Size (inches)	Cost
24 x 24	\$3.00
36 x 48	\$5.00

SPECIAL CIRCUMSTANCES	Cost
Non-Profit Organization	Free
USU Student-Map Costs	½ Price Regular Cost
USU Students- Data Costs (1998 Aerial)	\$10/1998 Data Layer or Aerial*
USU Students – Data Costs (Color Aerial)	\$15/Data Layer or Aerial*
Businesses Doing Work for Logan	Free
City of Logan Departments	Free
School Districts	Free

*Conditional Upon Data Used For Educational Purposes.

Chairman Ward opened the meeting to a public hearing.

There were no public comments and Chairman Ward closed the public hearing.

ACTION. Motion by Vice Chairman Simmonds seconded by Councilmember Daines to **approve Res 14-43** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution adopting the Tentative Property Tax Rate for FY 2014-2015 – Resolution 14-53

Finance Director Richard Anderson addressed the proposed resolution for the Tentative Property Tax Rate. He stated the proposed property tax is for the Logan Library levy which is the first budgetary increase the library has had in years. The purpose of the budget increase is to sustain operations at the library. The tax increase is 4.5 percent for only the Logan Library levy. The average homeowner will pay about \$3.62 additionally per year. He stated the Council cannot adopt a final budget until it holds a truth-in-taxation hearing which is required by State law for the property tax increase. The hearing is open to the public and is scheduled for Tuesday, August 5, 2014 beginning at 5:30pm.

Chairman Ward opened the meeting to a public hearing.

Logan resident Bonnie Hoth addressed the Council and recommended that the final public hearing on the Property Tax Rate Increase be postponed until September so that citizens have more time for public review of the tax increase and also to allow people to return from summer travel and be able to attend a public hearing.

Mr. Anderson responded the Council is required to take action on the Property Tax Rate and the Revenue and Expenditure Budgets prior to August 17, 2014. This is required by State law. Final adoption of the budget cannot be held the same night as any other entity and cannot be held prior to Cache County sending out tax notices to residents. The noticing requirements are also extensive regarding a Property Tax Rate increase.

There were no further public comments and Chairman Ward closed the public hearing.

ACTION. Motion by Councilmember Daines seconded by Vice Chairman Simmonds to **approve Res 14-53** as presented. Motion carried unanimously.

PUBLIC HEARING – Consideration of a proposed resolution adopting the Tentative Revenues and Expenditures Budget for FY 2014-2015 in the amount of \$143,692,452 – Resolution 14-51

Finance Director Richard Anderson addressed the Council regarding the proposed resolution. This resolution is tentative pending the Truth and Taxation hearing that will be held on August 5, 2014 and will only affect the Library Levy. The amount of \$3,000 was added to the budget for the Child & Family Support Center which is a onetime contribution. There were also minor accounting changes added.

Chairman Ward stated that two budget workshops were held with staff and the Council. has thoroughly reviewed the budget.

Chairman Ward opened the meeting to a public hearing.

There were no public comments and Chairman Ward closed the public hearing.

Councilmember Olsen commented that he supports the motion but stated in the “nature of the democratic process and opposition” and because the Council voted unanimously on all previous action items tonight, he voted nay on this proposed resolution.

ACTION. Motion by Councilmember Daines seconded by Councilmember Needham to **approve Res 14-51** as presented. Motion carried 4-1 (Olsen voted nay)

WORKSHOP ITEM.

Consideration of a proposed Code Amendment. Joseph Needham/Utah Festival Opera Company, authorized agent/owner, requests a text amendment to the Land Development Code Section 17.33 regarding the existing lot size of the Historic District X-Overlay – Ordinance 14-56 – Russ Holley, Planner

Planner Russ Holley addressed the Council regarding the proposed code amendment. The subject property currently contains the Bishop’s Storehouse building, originally built in 1969 and used for storage, warehousing and office by the Church of Jesus Christ of Latter Day Saints. The current owner, the Utah Festival Operation Company, acquired the property in 2006 and has been using it ever since to store material related to their industry. The proposal is to allow subdivisions of parcels located inside the “X” Overlay portion of the Center Street Historic District if a parcel is at least 1.5 acres size, has more than 220 feet of continuous frontage along a public street and only creates two (2) additional parcels, three (3) lot subdivision. The property associated with the proposal, also known as the Bishop’s Storehouse, is currently 1.65 acres in size, has 228 feet of public street frontage and is proposing two (2) additional building lots. Currently, three

(3) parcels inside the “X” Overlay boundary meet the proposed code amendment criteria and include, the LDS Tabernacle at 50 North Main, the LDS Temple at 175 East 300 North and the Bishop’s Storehouse.

Staff recommended that the Planning Commission recommend approval of the code amendment to allow a subdivision inside the “X” Overlay Zone if the property is no more than 1.50 acres, has more than 220 feet of continuous street frontage and creates no more than two (2) additional lots.

Staff recommended that the Planning Commission conditionally approve a Subdivision Permit for the 3-lot Bishop’s Storehouse Subdivision at 55 North 200 West.

On June 12, 2014, the Planning Commission recommended that the Municipal Council approve a request to amend the Land Development Code to allow limited subdivision within the “X” Overlay Zone if properties have more than 1.50 acres and more than 220 feet of continuous public street frontage. Said parcels are entitled to a maximum of two (2) additional building lots. The “X” Overlay would remain in place and by recording the subdivision as is shown to the Council now, the other properties would no longer qualify for further subdividing. The only potential risk is the larger properties could join together and make one large property of 1.5 acres and then re-subdivide but the likelihood of this occurring is very low. Any plans for development in this area need to go through the Historic Preservation Committee for approval.

Mayor Petersen feels this is a very creative solution to take something that is now an “eye sore” and turn it into something that is significantly better.

Councilmember Olsen said he also likes the idea of creating a residential area where currently it does not exist.

The proposed ordinance will be an action item and public hearing at the July 15, 2014 Council Meeting.

OTHER CONSIDERATIONS.

There were no further considerations from the Mayor or Council.

ADJOURN to meeting of the Logan Redevelopment Agency.

ACTION ITEM:

PUBLIC HEARING – Consideration of a proposed resolution approving the Redevelopment Area Budget for FY 2014-2015 in the amount of \$4,438,042 – Resolution 14-52 RDA

Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. There are seven project areas and the amount that is requested of the Cache County Auditor is proportioned to the tax increment that is generated. He does not

708 expect to spend the entire requested amount of \$4,438,042. Established in the budget is a
709 reserve of over 2 million dollars and that represents the difference between what is
710 planned to be spent and the captured amount. Of the \$4,438,042 a little over half will
711 actually be spent. He added in the North Main RDA (Auto Mall) we are basically upside
712 down in the project area. Assuming no new development comes forward in the next two
713 years, it's anticipated there could be some impact in this area.

714
715 Mr. Housley responded the reason we are upside down in the North Main RDA because
716 of the investment upfront to purchase the property, street improvements and utilities that
717 were installed.

718
719 Chairman Ward opened the meeting to a public hearing.

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721 There were no public comments and Chairman Ward closed the public hearing.

722
723 **ACTION.** Motion by Vice Chairman Simmonds seconded by Councilmember Daines to
724 **approve Res 14-52 RDA** as presented. Motion carried unanimously.

725
726 **ADJOURN.**

727
728 There being no further business to come before the Council, the meeting adjourned at
729 7:10 p.m.

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732
733 Teresa Harris, City Recorder